

IDD 6888
SB-C
9/30/13



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

SEP 30 2013

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

Certified Mail Number 7012 1010 0003 2872 6390
Return Receipt Requested

J. Wayne Maxie, R.G.
Manager, Environmental Projects
Agrium US, Inc.
4582 S Ulster Street Suite 1700
Denver, CO 80237-2641

Re: Comments to September 5, 2013 Groundwater Monitoring Plan
Administrative Order on Consent for Nu-West Industries, Inc.
Idaho Facility, Docket No. RCRA-10-2009-0186

Dear Mr. Maxie:

EPA has reviewed the Groundwater Monitoring Plan dated September 5, 2013 for the Nu-West Industries, Conda Phosphate Operations facility. A list of comments is provided with this letter.

In accordance with paragraph 69 of the Administrative Order on Consent (AOC), Nu-West has thirty (30) days to submit to EPA for approval a revised submission.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Magolske".

Peter Magolske
Air and RCRA Compliance Unit

enclosure

cc: Brian Monson, Idaho Department of Environmental Quality
P. Scott Burton, Esq. Hunton and Williams LLP
Timothy J. Carlstedt, Esq. Hunton and Williams LLP

FILE COPY

EPA Comments to September 5, 2013 Groundwater Monitoring Plan

Comment 1:

The document is missing an approval page with corresponding signatures and dates. These signatures would indicate both approval of this plan and commitment to support the implementation of the procedures specified. Generally, this plan should be approved by the project coordinator (Nu-West), the project manager (WSP), and the project QA manager (WSP) as well as any other appropriate key staff. This requirement is consistent with EPA Region 10 quality assurance requirements.

Paragraph 77a of the AOC requires that all data and data collection, unless specifically exempted by the EPA Project Coordinator, must comply with the Region 10 quality assurance requirements and policies as found at:

<http://yosemite.epa.gov/R10/OEA.NSF/webpage/QA+Reference+Documents>

EPA Requirements for Quality Assurance Project Plans, document EPA QA/R-5, requires an approval page, including the names, titles, signatures, and approval dates of appropriate approving officials.

Include an approval page with the corresponding signatures and dates with the revised submission.

Comment 2:

The Nu-West CPO Quality Control Laboratory does not have a laboratory quality management plan or standard operating procedures that are comparable to the corresponding EPA methods (i.e., similar QC requirements, comparable methodology, etc.), and cannot meet EPA Region 10 quality assurance requirements. Laboratory reporting limits for cadmium and chromium are greater than the screening levels. The sampling plan proposes monthly analyses of phosphate by CPO Method PRO-069 of the samples gathered from the soil-bedrock interface monitoring wells in the A-34 area, and quarterly analyses of total phosphorous by EPA Method 365.3 of the samples gathered from the basalt and sedimentary screened monitoring wells.

EPA understands that the purpose for the collection of monthly groundwater samples from the A-34 area and analyses by the Nu-West CPO Quality Control Laboratory is to evaluate the effectiveness of ongoing facility infrastructure improvements within the Main Plant Area. EPA exempts this data from the Region 10 quality assurance requirements.

Given the differences in test methods, reporting limits, and quality control, do not combine data from the Nu-West CPO Quality Control Laboratory with data from the outside laboratories (Accutest Laboratories Southeast and IAS Envirochem) into the same tables and figures when reporting groundwater monitoring data.

Comment 3:

The third bullet of section 4.2 states that one of the primary inputs is to utilize appropriate analytical methods and MDLs for groundwater monitoring such that the analytes in question are quantified with MDLs lower than corresponding screening levels. As noted in comment 2 above, the Nu-West CPO Quality Control Laboratory does not meet this requirement. Reword this statement to read as follows:

- Utilize appropriate analytical methods and Method Detection Limits (MDLs) for groundwater monitoring throughout the basalt and sedimentary aquifer screened monitoring wells at the site such that the pH, metals concentrations, and general chemistry parameter concentrations are quantified with MDLs lower than corresponding screening levels

Comment 4:

Several corrections are necessary in Section 5.2.5.

The metals samples will only be analyzed by SW-846 Method 6010C. All references to EPA Method 200.8 need to be removed from this section.

For those additional laboratory analyses of new monitoring wells, not yet sampled for major ion geochemistry, the specified analytes (calcium, magnesium, sodium, potassium, and total alkalinity) need to be included in a new table with the test methods specified (i.e. SW-846 Method 6010C).

Additionally, the sentence following this section states that if there is high turbidity then the major ion geochemistry will be field filtered. The major ions (calcium, magnesium, sodium, and potassium) require field filtration. Chloride, sulfate and total alkalinity do not undergo field filtration. Revise this section of the Groundwater Monitoring Plan to provide this clarification.

Comment 5:

In Table 5-3, no preservation criteria are included. Include the preservation criteria.

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Peter Magolske
US EPA
1200 Sixth Avenue, Suite 900, OCE-127
Seattle, WA 98101

10100000



U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)®

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <u>Lisa Helmcke</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Lisa Helmcke</u> C. Date of Delivery <u>10/4/13</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center; padding-top: 20px;">J. Wayne Maxie, P.G. Manager, Environmental Projects Agrium US, Inc. 4582 S. Ulster Street, Suite 1700 Denver, CO 80237</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number 7012 1010 0003 2872 6390 (Transfer from service label)</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047